

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

ROBERT SMITH III,

Plaintiff,

v.

THE KROGER CO.,

Defendant.

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Civil No. 3:19-cv-00197
Judge Trauger

ORDER

On June 26, 2019, the magistrate judge issued a Report and Recommendation (Docket No. 11), to which no timely objections have been filed. The Report and Recommendation is therefore ACCEPTED and made the findings of fact and conclusions of law of this court. For the reasons expressed therein, it is hereby ORDERED that the defendant's Motion for Judgment on the Pleadings (Docket No. 8) is GRANTED, and this case is DISMISSED with prejudice.

This Order constitutes the judgment in this case.

It is so **ORDERED**.

Enter this 14th day of August 2019.



ALETA A. TRAUGER
U.S. District Judge